



Robert Greene Sterne  
Edward J. Kessler  
Jorge A. Goldstein  
David K.S. Cornwell  
Robert W. Esmond  
Tracy-Gene G. Durkin  
Michele A. Cimbala  
Michael B. Ray  
Robert E. Sokohl  
Eric K. Steffe  
Michael Q. Lee  
Steven R. Ludwig  
John M. Covert  
Linda E. Alcorn  
Robert C. Millionig  
Lawrence B. Bugaisky  
Donald J. Featherstone  
Michael V. Messinger  
Judith U. Kim  
Timothy J. Shea, Jr.

Patrick E. Garrett  
Jeffery T. Helvey\*  
Heidi L. Kraus  
Crystal D. Sayles  
Edward W. Yee  
Albert L. Ferro\*  
Donald R. Banowitz  
Peter A. Jackman  
Molly A. McCall  
Teresa U. Medler  
Jeffrey S. Weaver  
Kendrick P. Patterson  
Vincent L. Capuano  
Albert J. Fasulo II\*  
Eldora Ellison Floyd  
W. Russell Swindell  
Thomas C. Fiala  
Brian J. Del Buono\*  
Virgil Lee Beaston\*  
Reginald D. Lucas\*

Kimberly N. Reddick  
Theodore A. Wood  
Elizabeth J. Haanes  
Bruce E. Chalker  
Joseph S. Ostroff  
Frank R. Cottingham\*  
Christine M. Lhulier  
Rae Lynn Prengaman\*  
Jane Shershenovich\*  
Lawrence J. Carroll\*  
George S. Bardmesser

Senior Counsel  
Samuel L. Fox  
Kenneth C. Bass III

Registered Patent Agents  
Karen R. Markowicz  
Andrea J. Kamage

Nancy J. Leith  
Joseph M. Conrad III  
Ann E. Summerfield  
Helene C. Carlson  
Gaby L. Longworth  
Matthew J. Dowd  
Aaron L. Schwartz  
Angelique G. Uy  
Boris A. Matvenko  
Mary B. Tung  
Katrina Y. Pei  
Bryan L. Skelton  
Jason D. Eisenberg

\*Admitted only in Maryland  
\*Admitted only in Virginia  
\*Admitted only in Texas

May 20, 2002

WRITER'S DIRECT NUMBER: (202) 371-2638

INTERNET ADDRESS: JSHERSHE@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

**Box: Missing Parts**

Re: U.S. Utility Patent Application  
Appl. No. 10/050,047; Filed: January 17, 2002  
For: **Methods of Increasing Hardness of Food Products**  
Inventors: Egbert *et al.*  
Our Ref: 1533.1510001/SRL/J-S

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated March 20, 2002, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Form (PTO/SB/17);
2. Copy of the Notice to File Missing Parts of Non-Provisional Application;
3. Original Declaration executed by Russ Egbert and Victor Lobo;
4. Original Declaration executed by Zhongli Pan;
5. Our Check No. 35223 for \$1,222.00 to cover:  
\$740.00 Filing Fee for Patent Application (37 C.F.R. § 1.16);  
\$352.00 Fee for excess claims and multiple dependent claim fees (37 C.F.R. § 1.16);  
\$130.00 Surcharge for late filing of Declaration (37 C.F.R. § 1.16); and
6. A return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Commissioner for Patents  
May 20, 2002  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,


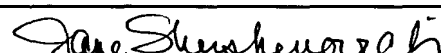
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, appearing to read "Jane Shershenovich". The signature is fluid and cursive, with a large initial "J" and "S".

Jane Shershenovich  
Attorney for Applicants  
Registration No. 48,841

SRL/J-S/tts  
Enclosures

SKGF\_DC1:15495.1

FEE TRANSMITTAL for FY 2002		Complete if Known																																																																																																																																																																																																																																																																																																																							
<div style="text-align: center;">  <p>Patent fees are subject to annual revision.</p> </div>		Application Number	10/050,047																																																																																																																																																																																																																																																																																																																						
		Filing Date	January 17, 2002																																																																																																																																																																																																																																																																																																																						
		First Named Inventor	Russ Egbert																																																																																																																																																																																																																																																																																																																						
		Examiner Name	To be assigned																																																																																																																																																																																																																																																																																																																						
		Group Art Unit	1761																																																																																																																																																																																																																																																																																																																						
TOTAL AMOUNT OF PAYMENT		(\$)	1,222.00																																																																																																																																																																																																																																																																																																																						
METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																																																							
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:</p> <div style="border: 1px solid black; padding: 5px; margin: 5px 0;">           Deposit Account Number: 19-0036            Deposit Account Name: Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.         </div> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p> <p>2. <input checked="" type="checkbox"/> Payment Enclosed:</p> <p><input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input checked="" type="checkbox"/> Other*</p> <p><small>*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.</small></p>		<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large</th> <th>Entity</th> <th>Small</th> <th>Entity</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td></td><td></td><td></td><td></td><td>Surcharge - late filing fee or oath</td><td>130.00</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td></td><td></td><td></td><td></td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td></td><td></td><td></td><td></td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td></td><td></td><td></td><td></td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td></td><td></td><td></td><td></td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td></td><td></td><td></td><td></td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td></td><td></td><td></td><td></td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200</td><td></td><td></td><td></td><td></td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460</td><td></td><td></td><td></td><td></td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720</td><td></td><td></td><td></td><td></td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980</td><td></td><td></td><td></td><td></td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160</td><td></td><td></td><td></td><td></td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160</td><td></td><td></td><td></td><td></td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140</td><td></td><td></td><td></td><td></td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td></td><td></td><td></td><td></td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td></td><td></td><td></td><td></td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640</td><td></td><td></td><td></td><td></td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640</td><td></td><td></td><td></td><td></td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230</td><td></td><td></td><td></td><td></td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310</td><td></td><td></td><td></td><td></td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td></td><td></td><td></td><td></td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>130</td><td>123</td><td>130</td><td></td><td></td><td></td><td></td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td></td><td></td><td></td><td></td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>481</td><td>40</td><td></td><td></td><td></td><td></td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370</td><td></td><td></td><td></td><td></td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370</td><td></td><td></td><td></td><td></td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370</td><td></td><td></td><td></td><td></td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td></td><td></td><td></td><td></td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="10">Other fee (specify):</td></tr> <tr><td colspan="10">Other fee (specify):</td></tr> </tbody> </table>		Large	Entity	Small	Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid	105	130	205	65					Surcharge - late filing fee or oath	130.00	127	50	227	25					Surcharge - late provisional filing fee or cover sheet		139	130	139	130					Non-English specification		147	2,520	147	2,520					For filing a request for <i>ex parte</i> reexamination		112	920*	112	920*					Requesting publication of SIR prior to Examiner action		113	1,840*	113	1,840*					Requesting publication of SIR after Examiner action		115	110	215	55					Extension for reply within first month		116	400	216	200					Extension for reply within second month		117	920	217	460					Extension for reply within third month		118	1,440	218	720					Extension for reply within fourth month		128	1,960	228	980					Extension for reply within fifth month		119	320	219	160					Notice of Appeal		120	320	220	160					Filing a brief in support of an appeal		121	280	221	140					Request for oral hearing		138	1,510	138	1,510					Petition to institute a public use proceeding		140	110	240	55					Petition to revive - unavoidable		141	1,280	241	640					Petition to revive - unintentional		142	1,280	242	640					Utility issue fee (or reissue)		143	460	243	230					Design issue fee		144	620	244	310					Plant issue fee		122	130	122	130					Petitions to the Commissioner		123	130	123	130					Petitions related to provisional applications		126	180	126	180					Submission of Information Disclosure Stmt		581	40	481	40					Recording each patent assignment per property (times number of properties)		146	740	246	370					Filing a submission after final rejection (37 CFR 1.129(a))		149	740	249	370					For each additional invention to be examined (37 CFR 1.129(b))		179	740	279	370					Request for Continued Examination (RCE)		169	900	169	900					Request for expedited examination of a design application		Other fee (specify):										Other fee (specify):									
Large	Entity	Small	Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid																																																																																																																																																																																																																																																																																																																
105	130	205	65					Surcharge - late filing fee or oath	130.00																																																																																																																																																																																																																																																																																																																
127	50	227	25					Surcharge - late provisional filing fee or cover sheet																																																																																																																																																																																																																																																																																																																	
139	130	139	130					Non-English specification																																																																																																																																																																																																																																																																																																																	
147	2,520	147	2,520					For filing a request for <i>ex parte</i> reexamination																																																																																																																																																																																																																																																																																																																	
112	920*	112	920*					Requesting publication of SIR prior to Examiner action																																																																																																																																																																																																																																																																																																																	
113	1,840*	113	1,840*					Requesting publication of SIR after Examiner action																																																																																																																																																																																																																																																																																																																	
115	110	215	55					Extension for reply within first month																																																																																																																																																																																																																																																																																																																	
116	400	216	200					Extension for reply within second month																																																																																																																																																																																																																																																																																																																	
117	920	217	460					Extension for reply within third month																																																																																																																																																																																																																																																																																																																	
118	1,440	218	720					Extension for reply within fourth month																																																																																																																																																																																																																																																																																																																	
128	1,960	228	980					Extension for reply within fifth month																																																																																																																																																																																																																																																																																																																	
119	320	219	160					Notice of Appeal																																																																																																																																																																																																																																																																																																																	
120	320	220	160					Filing a brief in support of an appeal																																																																																																																																																																																																																																																																																																																	
121	280	221	140					Request for oral hearing																																																																																																																																																																																																																																																																																																																	
138	1,510	138	1,510					Petition to institute a public use proceeding																																																																																																																																																																																																																																																																																																																	
140	110	240	55					Petition to revive - unavoidable																																																																																																																																																																																																																																																																																																																	
141	1,280	241	640					Petition to revive - unintentional																																																																																																																																																																																																																																																																																																																	
142	1,280	242	640					Utility issue fee (or reissue)																																																																																																																																																																																																																																																																																																																	
143	460	243	230					Design issue fee																																																																																																																																																																																																																																																																																																																	
144	620	244	310					Plant issue fee																																																																																																																																																																																																																																																																																																																	
122	130	122	130					Petitions to the Commissioner																																																																																																																																																																																																																																																																																																																	
123	130	123	130					Petitions related to provisional applications																																																																																																																																																																																																																																																																																																																	
126	180	126	180					Submission of Information Disclosure Stmt																																																																																																																																																																																																																																																																																																																	
581	40	481	40					Recording each patent assignment per property (times number of properties)																																																																																																																																																																																																																																																																																																																	
146	740	246	370					Filing a submission after final rejection (37 CFR 1.129(a))																																																																																																																																																																																																																																																																																																																	
149	740	249	370					For each additional invention to be examined (37 CFR 1.129(b))																																																																																																																																																																																																																																																																																																																	
179	740	279	370					Request for Continued Examination (RCE)																																																																																																																																																																																																																																																																																																																	
169	900	169	900					Request for expedited examination of a design application																																																																																																																																																																																																																																																																																																																	
Other fee (specify):																																																																																																																																																																																																																																																																																																																									
Other fee (specify):																																																																																																																																																																																																																																																																																																																									
<p>1. BASIC FILING FEE</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370</td><td>Utility filing fee</td><td>740.00</td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165</td><td>Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255</td><td>Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370</td><td>Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80</td><td>Provisional filing fee</td><td></td></tr> <tr><td colspan="5"><b>SUBTOTAL (1) (\$)</b></td><td><b>740.00</b></td></tr> </tbody> </table> <p>2. EXTRA CLAIM FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Extra</th> <th>Fee from below</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total Claims 24 - 20** = 4 X 18 =</td> <td></td> <td>72.00</td> </tr> <tr> <td>Indep. Claims 3- 3** = 0 X =</td> <td></td> <td></td> </tr> <tr> <td>Multiple Dependent 280.00 =</td> <td></td> <td>280.00</td> </tr> </tbody> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr><td>103</td><td>18</td><td>203</td><td>9</td><td>Claims in excess of 20</td></tr> <tr><td>102</td><td>84</td><td>202</td><td>42</td><td>Independent claims in excess of 3</td></tr> <tr><td>104</td><td>280</td><td>204</td><td>140</td><td>Multiple dependent claim</td></tr> <tr><td>108</td><td>84</td><td>208</td><td>42</td><td>**Reissue independent claims over original patent</td></tr> <tr><td>110</td><td>18</td><td>210</td><td>9</td><td>**Reissue claims in excess of 20 and over original patent</td></tr> <tr><td colspan="5"><b>SUBTOTAL (2) (\$)</b></td><td><b>352.00</b></td></tr> </tbody> </table> <p><small>** or number previously paid, if greater; For Reissues, see above</small></p>		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	740	201	370	Utility filing fee	740.00	106	330	206	165	Design filing fee		107	510	207	255	Plant filing fee		108	740	208	370	Reissue filing fee		114	160	214	80	Provisional filing fee		<b>SUBTOTAL (1) (\$)</b>					<b>740.00</b>	Extra	Fee from below	Fee Paid	Total Claims 24 - 20** = 4 X 18 =		72.00	Indep. Claims 3- 3** = 0 X =			Multiple Dependent 280.00 =		280.00	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	84	202	42	Independent claims in excess of 3	104	280	204	140	Multiple dependent claim	108	84	208	42	**Reissue independent claims over original patent	110	18	210	9	**Reissue claims in excess of 20 and over original patent	<b>SUBTOTAL (2) (\$)</b>					<b>352.00</b>	<p><b>SUBTOTAL (3) (\$)</b> 130.00</p>																																																																																																																																																																																																																													
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																																																																																																																																				
101	740	201	370	Utility filing fee	740.00																																																																																																																																																																																																																																																																																																																				
106	330	206	165	Design filing fee																																																																																																																																																																																																																																																																																																																					
107	510	207	255	Plant filing fee																																																																																																																																																																																																																																																																																																																					
108	740	208	370	Reissue filing fee																																																																																																																																																																																																																																																																																																																					
114	160	214	80	Provisional filing fee																																																																																																																																																																																																																																																																																																																					
<b>SUBTOTAL (1) (\$)</b>					<b>740.00</b>																																																																																																																																																																																																																																																																																																																				
Extra	Fee from below	Fee Paid																																																																																																																																																																																																																																																																																																																							
Total Claims 24 - 20** = 4 X 18 =		72.00																																																																																																																																																																																																																																																																																																																							
Indep. Claims 3- 3** = 0 X =																																																																																																																																																																																																																																																																																																																									
Multiple Dependent 280.00 =		280.00																																																																																																																																																																																																																																																																																																																							
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description																																																																																																																																																																																																																																																																																																																					
103	18	203	9	Claims in excess of 20																																																																																																																																																																																																																																																																																																																					
102	84	202	42	Independent claims in excess of 3																																																																																																																																																																																																																																																																																																																					
104	280	204	140	Multiple dependent claim																																																																																																																																																																																																																																																																																																																					
108	84	208	42	**Reissue independent claims over original patent																																																																																																																																																																																																																																																																																																																					
110	18	210	9	**Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																																																																																																																																					
<b>SUBTOTAL (2) (\$)</b>					<b>352.00</b>																																																																																																																																																																																																																																																																																																																				
SUBMITTED BY		Complete (if applicable)																																																																																																																																																																																																																																																																																																																							
Name (Print/Type)	Jane Shershenovich	Registration No. (Attorney/Agent)	48,481																																																																																																																																																																																																																																																																																																																						
Signature		Telephone	202-371-2600																																																																																																																																																																																																																																																																																																																						
		Date	May 20, 2002																																																																																																																																																																																																																																																																																																																						

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

SKGF Rev. 10/01/01 minac

#15601v1<SKGF\_DC1> -fee transmittal for submission of response to NTFM.wpd

SKGF\_DC1:15601.1